

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2011

ROBERT MEYERS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D10-3404

[December 21, 2011]

PER CURIAM.

Appellant challenges his sentence for felony criminal mischief. At his resentencing hearing, appellant informed the trial court that he desired to represent himself. We find that the trial court erred by not adequately inquiring into appellant's knowing and voluntary waiver of his right to counsel under *Faretta v. California*, 422 U.S. 806 (1975).

"A defendant cannot make an intelligent, knowing waiver of his right to counsel without being informed of the dangers and disadvantages of self-representation." *Vega v. State*, 57 So. 3d 259, 262 (Fla. 5th DCA 2011); *see also* Fla. R. Crim. P. 3.111(d)(2). In this case, though the trial court informed appellant that he was entitled to counsel, the colloquy between the trial court and appellant reveals that the trial court did not advise appellant of the dangers and disadvantages of waiving the assistance of counsel. Nor did the "waiver of counsel" form signed by appellant indicate that dangers accompany representing oneself. We therefore reverse and remand for appellant to be resentenced on his felony criminal mischief conviction.

Reversed and remanded.

STEVENSON, HAZOURI and LEVINE, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Geoffrey D. Cohen, Judge; L.T. Case No. 10-4801

CF10A.

Carey Haughwout, Public Defender, and Emily Ross-Booker, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Helene C. Hvizd, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.